

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

JOHN A. ORTLAND

PLAINTIFF

V.

CIVIL ACTION NO.1:07-CV-1075 LG RHW

HARRISON COUNTY MISSISSIPPI, ET AL.

DEFENDANTS

**RESPONSE BY DEFENDANTS PAT OLSEN AND HEALTH ASSURANCE LLC
TO PLAINTIFF'S MOTION TO COMPEL (DOC #64)**

Defendant Pat Olsen and Defendant Health Assurance LLC file this response to the Motion to Compel (#64) Plaintiff filed and state:

1.

Plaintiff has never propounded discovery to Defendant Olsen and Defendant Health Assurance.

2.

On November 5, 2009, Plaintiff called Defendant's counsel and asked for the following information:

(a) The name of the person who was employed by Health Assurance and in charge of the medical department at the Harrison County Adult Detention Center on September 8, 2004.

(b) The name of the Health Assurance personnel who were on duty on September 8, 2004 between 12:00 a.m. and 11:00 a.m.

(c) The physical address of Defendant Health Assurance.

(d) The identity of a Mr. David DeCelle [sic].

3.

Although Plaintiff has not filed a formal discovery request, Defendants respond to this motion by providing the information requested by Plaintiff during the November 5, 2009 telephone conference and state:

(a) Ms. Rita Parker was the Health Assurance employee who was in charge of the medical department on September 8, 2004.

(b) The Health Assurance, LLC employees who were on duty between 12:00 a.m. and 11:00 a.m. on September 8, 2004 are as follows:

Amy Coulton
Mary Husley
Shirley Morton
Chuck Norris
Brenda Pleasant
Sonja Polk
Jennie White

(c) The physical address of Defendant Health Assurance is 5903 Ridgewood Road, Suite 320, Jackson, Mississippi 39211.

(d) Mr. David DeCelle was employed by the medical provider who contracted with the Harrison County Adult Detention Center to provide medical care to the inmates before Health Assurance assumed that contractual responsibility and Mr. David DeCelle may have worked for Health Assurance for a short period of time, but probably was not employed by Health Assurance on or about September 8, 2004.

Additionally, Defendants are producing a copy of a medical record for Plaintiff
Ortland that is attached hereto as Exhibit "A".

FOR THE FORGOING REASONS, Defendants Pat Olsen and Health Assurance
LLC ask the Court to deny Plaintiff's Motion to Compel.

THIS the 5th day of November, 2009.

Respectfully submitted,

**PAT OLSEN AND
HEALTH ASSURANCE, LLC**

/s/ Robert H. Pedersen

Walter T. Johnson (MSB #8712)
Robert H. Pedersen (MSB #4084)

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CERTIFICATE OF SERVICE

I, Robert H. Pedersen, as counsel for Defendant Health Assurance LLC, hereby certify that I have this day electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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Attorney for Defendant Harrison County, Mississippi

and I hereby certify that I served a true and correct copy of the above and foregoing pleading via United States Postal Service, postage prepaid, and also by facsimile (228-832-6926), to the following non-ECF participant:

John A. Ortland
c/o Mason Ulm Taylor
10325 34th Avenue
Gulfport, MS 39503

THIS the 5th day of November 9, 2009.

/s/ Robert H. Pedersen

Walter T. Johnson
Robert H. Pedersen